



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JAN 4 2012

Richard A. Cohn
Capacity Planning and Site Selection Branch
Federal Bureau of Prisons
320 First Street, NW
Washington, D.C. 20534

Dear Mr. Cohn:

RE: Review of Draft Environmental Impact Statement for Leavenworth Federal Correctional Institution and Federal Prison Camp, Construction and Operation, Kansas

The U.S. Environmental Protection Agency has reviewed the Leavenworth Federal Correctional Institution and Federal Prison Camp Draft Environmental Impact Statement. Our review is provided pursuant to the National Environmental Policy Act 42 U.S.C. 4231, Council on Environmental Quality regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act. The DEIS was assigned the CEQ number 20110391.

The Federal Bureau of Prisons is proposing to construct and operate a new medium-security Federal Correctional Institution and Federal Prison Camp within the grounds of the existing United States Penitentiary located in Leavenworth, Kansas. The proposed FCI would house approximately 1,500 inmates while the FPC would house approximately 300 inmates. Development of the FCI and FCP is proposed as a means of better managing the present crowding within the federal prison system and meeting anticipated growth in the federal inmate population.

Based on our overall review and the level of our comments, the EPA has rated the DEIS and all described alternatives for this proposal as Lack of Objections (LO). The EPA offers the following recommendations to improve public disclosure and decision-making capabilities of the Final EIS:

Landfills

Section 1500.2 (f) of the NEPA regulations, states that "Federal agencies shall to the fullest extent possible: Use all practicable means, consistent with the requirements of the Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment." BOP's action alternatives provide the opportunity to address legacy landfill sites, and thus, further this specific national policy of the NEPA. Remediation of these sites in preparation for further construction will reduce or eliminate the potential for contaminants to migrate from these sites. The EPA concurs with the opinion expressed in Section 8 of the Phase 1 Environmental Site Assessment (Appendix G), that the BOP should continue to work with the Kansas Department of Health and Environment to further characterize and remediate these sites prior to reuse.



The EPA recommends that the Final EIS present a description of anticipated activities needed to remediate the project footprint, and also a timeline for when those activities would be forecast to be accomplished.

Traffic Considerations

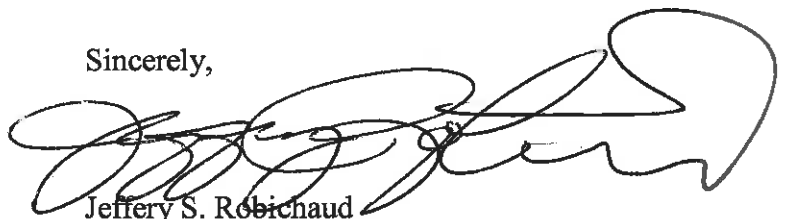
Locating the main entrance of the FCI opposite N. 10th Street will set up a conflict between FCI and Fort Leavenworth vehicle traffic, both of which will be utilizing the N. 10th Street Minor Arterial at the peak traffic times stated in the DEIS. To de-conflict traffic demand, the BOP could consider adjusting work shift times. Other options for de-confliction might include signalization of the Metropolitan Avenue and N. 10th Street intersection, or utilization of movable barriers that could give preference to the larger traffic volumes, per direction traveled, or time of day.

Environmental Justice

If traffic mitigation cannot be achieved, a minor indirect Environmental Justice impact could be realized along N. 10th in the form of traffic backups or pushing peak traffic volumes onto either N. 7th or 4th Streets. A map is attached that provides the EPA's assessment of where low income and/or minority populations may be located in Leavenworth.

If you have questions regarding these comments, please contact Mr. Joseph Cothorn, NEPA Team Leader, at cothorn.joe@epa.gov or at (913) 551-7148. Thank you for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffery S. Robichaud", written over a horizontal line.

Jeffery S. Robichaud
Deputy Director
Environmental Services Division



NEPAassist

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Go

U.S. ENVIRONMENTAL PROTECTION AGENCY

Map

Select Map Controls

EPA Facilities

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Water Monitoring Stations

Places

Region 7 EIS

Elevation Hillshade

Region 7 Layers

Air Layers

Nonattainment Areas

Power Plants

EL AREAS

EJ Indicator Co-occurrence by Block Group

Minorities > 25% & Below Poverty > 25% & Minorities > 25%

Minorities > 25% & Below Poverty > 25%

No Match

LAND LAYERS

Boundaries

Conservation Opportunity Areas

PLATES

Airports

Lowers

Power Plants

Region 7 Projects

EIS Layers

Contours



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| CONCURRENCE: Edie:7803:123011:H/ENSV/IO/NEPA/Cothorn/2011/BOPLeavenworth.docx | | | | |
|---|------------|---------------|---------------------|-----------|
| DIV/BR | ENSV/NEPA | ENSV | WWPD | ENSV |
| NAME | Cothorn | Hammerschmidt | Flourney | ROBICHAUD |
| DATE | 12/30/2011 | 12/30/2011 | | 12/30/11 |
| INITIALS | JEC | 24 | | |